

HEIBLER SENT KISSES TO MRS. BANCROFT

Letters Seized From Wife by Husband at Hotel Belmont Filled With Love.

NO DIVORCE, SAY LAWYERS

Old Auditors at Secret Trial Think a Case Has Not Been Made Out—Plaintiff Rests.

Albany, Del. Jan. 18.—The case of John Bancroft, Jr., who is suing his wife, Madeline du Pont Bancroft, for a divorce on statutory grounds, is nearing its end. The husband rested his case this afternoon in the Superior Court. The defense began. The testimony must all be taken to-morrow night, the court having adjourned to that effect last week when the case began. The evidence is being taken in the court in chambers owing to its privacy. The only auditors are the judges.

An informal poll taken to-night among persons who have heard all the testimony showed a preponderance of belief that Bancroft will be unsuccessful. The defense advanced are that he has not made his case sufficiently strong to warrant the court finding in his favor. This is the opinion of nine out of ten lawyers and about all the lawyers of the New York county bar have been present throughout the trial.

The husband's application is denied. The counter suit of the wife will be tried in chambers at the March term. The suit is also brought on statutory grounds.

This was an important day in the trial. The complainant and his mother and father were all on the stand. The sensational incident at the Hotel Belmont, New York, on February 25 of last year when the young wife was intercepted by the husband, his father and mother and her lawyer, Charles Thaddeus Terry, and presented from fleeing to Germany, was again gone into. Young Bancroft denied a scuffle he had with his wife in her room in the hotel during which he got possession of four affectionate letters in German that Max Heibler of Munich, the correspondent had written to her. This was nearly two months before the birth of the child, whom the husband calls Max Heibler, Jr., in making it a co-defendant. The boy was born here April 19 last. Bancroft, Sr., admitted that he told Madeline ten days after the birth of the child in question that she and his son should separate.

The husband identified sixty-nine letters written to his wife by the correspondent, Max Heibler. In them the latter addressed her as "My darling wife." The fact that Heibler called Mrs. Bancroft, "wife" was a new phase in the case. After an argument the court admitted the letters as tending to show the conduct of the defendant and not as showing the illegitimacy of the child.

In one of the letters Heibler called the couple's first child, John Bancroft, Jr., "My dear little Hans." The epistles were mostly written last January from Munich. In another of them he admitted, it is said, the paternity of the child and offered to provide for the little one and Madeline. "I love you," Heibler wrote, "and know you love me."

Young Bancroft admitted while on the stand that as his wife was lonely and as she showed a desire for the companionship of Heibler he wrote the co-defendant a letter, signing his wife's name, asking him to come to this country. In one of the letters Heibler described a scene that he had in the mountain with another woman.

A certificate of the birth of the child was admitted. In it the little one is called Max Heibler, Jr., and the mother, Madeline du Pont. The defendant wife, it is stated, instructed the physician to make this entry.

John Bancroft, Sr., the father, who was recalled, denied that he and his son had engaged in a collision with Madeline for the purpose of allowing young Bancroft to get a divorce quickly.

The defense, on cross-examination, brought out that on Easter Sunday, a week before the birth of the alleged illegitimate child, the wife was seized and jostled by angry horses while driving with her husband. It also developed that the wife strongly objected to a shooting gallery that he had in the cellar of his home here because it made her nervous and excited.

The purpose of this was to show the probability of premature birth. It was also brought out that the young wife attended a church fair about a week before the birth of the child and after doing work on the fairgrounds.

Madeline has not yet appeared in court. Her doubtful whether she will be present, the lawyers announced this evening just before the adjournment. She was said to be in the city, but the defense, who were in the city, said that she was in the city.

John Bancroft, Jr., who was recalled, testified that he and his mother, Madeline, were there with Hans (meaning young Bancroft, Jr.). She tried to place a hand on his forehead when he was crying. He said that anything to conceal from me was answered no. She then tried to get into the bathroom. I stopped her and she went to the bathroom. It contained four letters from Heibler.

The husband also identified over sixty letters, all written by Heibler to his wife. He said he found them in a box belonging to his wife in a closet in their apartment home.

After the court had admitted the bunch of letters to the wife from Heibler, only three of them were read. They were the ones found by Bancroft in the house. Heibler was especially affectionate to Madeline. "I thought of kisses," said a letter written by Madeline to Heibler was read by Lawyer Terry. The wife said she had caused him and the child to be taken to Bremen, where he could see her, but would go somewhere where she could be alone and have peace of mind.

John Bancroft, Sr., was recalled. Lawyer Whitehead for the complainant asked, "On the visit you made to Madeline on April 30 in Wilmington, what conversation did you have with her re-

garding the naming of the second child."

"She wanted to know," Bancroft replied, "whether she could name it after his father. She did not specify the father. I advised her to get counsel and then went to see you [meaning Whitehead] about naming the infant. You [Whitehead] told me she could name the child anything she wanted."

Dr. Rumford who attended Madeline at the birth of the child sought to correct his evidence of last week when he said it was possible young Bancroft was the father. Madeline joined her husband on August 23, 1910. The child was born on April 19, 1911. The doctor said under circumstances he did not believe young Bancroft could be the father.

The husband was recalled. He was handed an alleged confession made by the wife. The court ruled it out. On cross-examination he admitted having taken his wife to church on Easter Sunday morning a week before the birth of the child. As she was ill they left the services. Subsequently they went carriage riding.

Jennie Toman, maid to Madeline since last February, said Madeline objected to the shooting gallery, whereupon the husband replied, "You damn fool, it won't hurt you." Her reason for objecting, the witness said, was because it made her nervous and excited, a serious matter owing to her condition. Miss Toman declared that Madeline was severely jolted during the carriage ride with her husband on Easter Sunday. She declared that following the Hotel Belmont episode the couple returned home and occupied the same room.

WANT EXPERT ON BOOKS.

Indicted Meat Packers to Pay Half Expenses of Examining Accountant.

CHICAGO, Jan. 18.—The attorneys for the Government in the case of the ten indicted packers on trial in the United States Court here were not a little surprised to-day when counsel for the defense made an offer to pay half the expense of having an expert accountant go over the books and files of the packing firms interested in the case. Their offer, while not refused, will be given consideration. The tender of an offer for the defense was made in an effort to bring the case to an earlier close.

The Government has now been building its case for some seven weeks. Yet it has advanced only to the preliminary stage. Nearly every witness so far called by the prosecution has been reserved and conservative to the degree that the case is taking much more time than was anticipated. For instance it was well along toward the end of his seventh day on the stand when Henry F. Meyer of Meyer & Co. was called to-day. The witness has gone thoroughly over the account system of his firm, explaining in detail its many complicated features, charges, and credits. Following Mr. Meyer came John Hunter.

A. C. He told of the method of closing the books in the vaults and of the scheme of destroying the records after they had been audited. He also explained the system of his firm, explaining in detail its many complicated features, charges, and credits. Following Mr. Meyer came John Hunter.

NATIONAL GUARD RESERVE.

Gen. Evans Would Give Men Who Enlist for 5 Years Furlough at End of First.

ALBANY, Jan. 18.—The New York State National Guard Association to-day elected the following officers: President, Commander Russell Raynor of the First Battalion, Naval Reserve of New York city; first vice-president, Col. Frank H. Norton of the Twenty-third Regiment, Brooklyn; second vice-president, Col. George J. Hall of the Sixty-fifth Regiment, Buffalo; secretary, Capt. Wm. E. Wheeler, Tenth Infantry, Albany; treasurer, Capt. William R. Fern of the Twenty-first Regiment, New York city.

A feature of the meeting of the association to-day was an address delivered by Brig. Gen. R. K. Evans, U. S. A., chief of the division of militia affairs of the War Department, in which he advocated the establishment of a National Guard reserve. This he proposed by giving guardsmen who enlist for five years a furlough at the expiration of one year of service, with the proviso that they be called into service if necessary during the period of their enlistment.

The no-regiment composed of negroes will be formed in New York city. The interpretation taken from a speech delivered by Adj. Gen. Verboek. He did not mention any proposed organization specifically in his remarks, but after saying that a great deal of pressure had been brought to bear on the Governor and Legislature to form a new infantry regiment of the size of a regular New York city regiment, he told of a ruling he had asked for and received from the War Department at Washington in connection with this subject.

He said that the War Department discouraged any new units in the National Guard of the State until all deficiencies in the organization of one year of service, with the proviso that they be called into service if necessary during the period of their enlistment.

GANG SET ON POLICEMAN.

The Hudson Dusters Beat Young Sullivan Into Insensibility.

Dennis Sullivan, a young policeman of the Charles street precinct, was told last night that the Hudson Dusters were going to beat him. He was told that the number of twenty or more at Hudson and Horatio streets and were insulting women who passed. He found the gang of cigarette smoking youths and ordered them to disperse.

One showed fight, and when Sullivan collared him a brick caught the policeman on the head, cutting the scalp. Sullivan drew his nightstick, still holding his prisoner, but the entire gang closed on him and knocked the policeman down and beat him into insensibility.

The reserves found Sullivan lying unconscious in the muddy street, his uniform torn and his face bleeding. Dr. Smith came from St. Vincent's Hospital and took six stitches in Sullivan's head and two in one of his hands and cleaned his wounds. His face was badly cut and he had lost a few teeth. He was taken in the ambulance to his home, 6 Sheridan square.

None of the youths who attacked him was found.

SAYS 'CRAM PUT IT UP TO DIX.

That if McCarrroll's Successor Wasn't Agreeable to Cram Cram Would Quit.

A spokesman for Public Service Commissioner J. Sergeant Cram said yesterday that Mr. Cram in his talk at Albany a week ago with Gov. Dix remarked that if a man to Mr. Cram's liking were not put in place of Commissioner McCarrroll, whose term expires in three weeks Mr. Cram would resign. Mr. Cram himself was asked by the Public Service Commissioner yesterday from Savannah, but he did not arrive. He was supposed last night to be on the way north, so he couldn't be reached here.

HOLLAND SOCIETY DINES DUTCH STYLE

Mynheer, the Evening's Salutation, With a Message From Gov. "Jean A. Dijk."

ORANGE COLOR ABOUNDS

The Dutch Minister Extols Work of Col. Goethals—Ex-Gov. White on War.

Just after the Van Kleefes and the Van Houtens and Kouwenhovens and the Schermerhorns and the Ten Broeks and the Wortendries had marched last night arm in arm to the grand ballroom of the Waldorf-Astoria and the band up in the far gallery had switched from "Wien Neerlandisch Bloed" to "Al is ons Landje nog zoo klein," the Swiss waiters, bowing low, asked, "Mynheer, oesters van omtrent of Westmerlandsche soep?"

That was easy. But when the Swiss, evaluating under duress each eye and trying to remember that "Mynheer" was barred for the evening and that it was as much as a man's job was to forget to say "Mynheer," put this one, "geroosterde Philadelphiae Noodlijdes?" there were many members of the Holland Society that were driven to the very small typed English translation of the Dutch menu. The gerosterde and the rest of it meant just plain Philadelphia squabs roasted.

The dinner committee provided many decorations and souvenirs of old Holland. The flag of William of Orange hung side by side with the American flag. Special souvenirs for the members were reproductions in bronze of the seal that Burgomaster Peter Stuyvesant used in ruling New Amsterdam, the original seal being now in the possession of the New York Historical Society. The music was half Dutch, half American. But the speeches were all in English. The banqueters sang over and over again the Dutch national hymn, that has a couplet for every letter of its title and is older than most national songs. And "Orange Tree" solidly delivered, called forth shouts of applause.

Henry S. Van Duzer, a former president of the society, presided. With him in the dais were John H. Landon, Minister from the Netherlands; Horace White, ex-Governor of New York; Lloyd B. Sanderson, A. Vande Sande Bakhuizen, John H. Burroughs, George A. Morrison, Jr., the Rev. John Williams, William Mitchell, the Rev. Howard C. Robbins, Charles Isham, the Rev. R. Plantin, Consul-General of the Netherlands; the Rev. Homer C. Stuntz, Herbert Treadwell, John G. O'Keefe and H. B. Tompkins.

At the small tables one identified among the 350 members of the society and their guests John G. and John R. Van Horn, E. T. Huest, Horatio N. Bain, Dr. John R. Kouwenhoven, the Rev. John Girardus Fagge, Augustus Van Wyck, S. D. and Frederick Cuylenhull, J. Maus Schermerhorn, Arthur H. Maston, John W. Vrooman, Supreme Court Justice Garret J. Gofferson, Supreme Court Justice James C. Van Sicken, Nicholas Vreeland, Alfred Vandermeulen, William H. Van Kleef, Foster M. Voorhees, H. W. Van Wageningen, William Van Wert, J. Van Kendall, Alston Beckman, Charles Ten Broeck, Seymour Van Santvoord, William M. Swartwout, Robert B. Gordon, A. J. Van Riper, Rensselaer Ten Broeck, DeWitt Rose, J. Van Vleet, Ootje, Otto, T. Barnard, John Van Oat, Dr. Charles McDonald, Dr. Wm. P. Duncker, Mr. Conrad Varrick, John R. Axtell, Francis I. Vander Boek, George Van Keuren, DeWitt Van Borsik, Albert H. Van Deusen, Zola Van Loon, Jacques Van Brunt, John Van Rensselaer, John A. Bapst, Judge Francis H. Houten, Judge A. C. Van Dyke, Kingdon, Mathias Van Dyke, Cruser and John C. Cruser.

Trustmaster Van Duzer, after informing the members that the society had reached 1,000, read a telegram of regret from Gov. Dix, who has been suffering from the grip. The Governor, however, had recovered and had been back in the city. Some of the members thought the Governor had made a slip in turning English into Dutch.

The Minister from the Netherlands, Jonckheer J. Landon, was the first speaker. Mynheer Landon visited the Panama Canal recently and came back enthusiastic in his admiration for the great ditch and in his praise for Col. Goethals. "There," said the Minister, "is a man! You ought to go to the canal every one of you and see that man. He has done, he and Dr. George W. Van Duzer, the United States should be very proud of these men and of the canal. Never in the history of mankind has there been so great an achievement. Col. Goethals, compare with the work that Col. Goethals is directing. The sanitation is perfect. Panama has become the health resort of the world."

Oh, I'm proud of Goethals. There is contained in him the very best of Holland and the very best of America. The Minister then turned to the Holland and the United States have much in common. They fought the same kind of a struggle for liberty. Each gave the world a hero. Washington and Goethals. Each had the true spirit of Democracy. "I don't mean that we in Holland have the same sort of political problems that you have here," he added. "We aren't bothered by the referendum and the recall of judges. We haven't any Sherman law or Bryanism."

Speaking of Holland's importance as the peace center of the world Mr. White said: "I believe that at this time thorough preparation and adequate equipment for war are the best means to preserve peace. I know no way but to fight hard when we must fight. But let us face the truth. War antagonizes the best of human nature. It violates the laws of nature. Dig deep enough and you will find that the real moving cause of war is always bad. It is the result of unholy ambition, passion and prejudice."

"We submit to a tribunal of our fellow men property rights, precious earthly relations and human life. What is there, then, in international relations that is not susceptible of like adjustment? A higher courage, a truer honor, a nobler patriotism are required for the faithful adherence to arbitration than for the appeal to arms."

The other speakers were the Rev. Howard C. Robbins and the Rev. Homer C. Stuntz.

Staid in City Hall in Jersey City.

Adon Smith, 34, 47 years old, of 1402 Richmond terrace, Port Richmond, Staten Island, and Gertrude J. Wiley, a widow ten years his junior, were married at the City Hall in Jersey City yesterday afternoon by Justice of the Peace William J. Burke. They were accompanied by Spire Piton, Jr., of New Brighton, Staten Island, and Mary V. Piton, who were their witnesses. Smith said he was married in 1900 to Emily Tevis and was divorced in 1907. The bride was married in 1896 to Snowden S. Wiley of St. Louis, who died in 1898.

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